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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 MAR 11 AM 10:49
DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Salvador APONTE-Valdo

Defendant.

Magistrate Case No. '08 MJ 0775

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326;
Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about, **January 27, 2007,** within the Southern District of California, defendant, **Salvador APONTE-Valdo** an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Deportation Officer
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **11th** DAY OF **March 2008.**

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On January 27, 2007, the defendant identified as, **Salvador APONTE-Valdo**, was apprehended by the U.S. Border Patrol. The defendant freely admitted that he was in the United States illegally and had no valid documents to reside or travel in the United States. The defendant was arrested for illegal entry and 3056 Probation Violation. The defendant was then turned over to the Sheriffs Office and booked into County Jail and an Immigration Hold (I-247) was placed pending his release from jail.

On March 10, 2008 the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE), Field Office in San Diego, California. An Immigration Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed form the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant **Salvador APONTE-Valdo,** has been ordered removed from the United States by an Immigration Judge on or about January 9, 2007, and removed to Mexico, via the San Ysidro Port of Entry on January 9, 2007. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System IDENT and Automated Fingerprint Identification System IAFIS were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as, **Salvador APONTE-Valdo**, a citizen and national of Mexico.

All information indicates the defendant is a citizen of Mexico having been previously deported from the United States, and has illegally re-entered the United States after deportation, in violation of Tile 8 of the United States Code 1326, Deported Alien found in the United States.